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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,527	06/27/2003	James M. Uhlik	SGT-53	6037
23599	7590	06/27/2005	EXAMINER	
MILLEN, WHITE, ZELANO & BRANIGAN, P.C. 2200 CLARENDON BLVD. SUITE 1400 ARLINGTON, VA 22201			HUG, ERIC J	
			ART UNIT	PAPER NUMBER
			1731	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/607,527	UHLIK, JAMES M.	
	Examiner	Art Unit	
	Eric Hug	1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 March 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 13-27 is/are allowed.
- 6) Claim(s) 1,2 and 7-11 is/are rejected.
- 7) Claim(s) 3-6 and 12 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 27 June 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

Response to Amendment

The following is in response to the amendment filed on March 21, 2005.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitchcock (US 1,564,240). Hitchcock discloses an apparatus for making sheet glass comprising a molten metal (tin) bath 5 (float bath) which receives molten glass from melting tank 1. The molten bath is carried upon a car 31 mounted on a transversely extending track 32. This allows the bath to be removed from the melting tank (page 2, column 2, lines 91-95). Hitchcock does not expressly disclose that the bath is moved among a plurality of units as given by the claims of the present invention. However, the claims are unpatentable because using the transport assembly to move the bath among a plurality of units is merely the intended use of the transport assembly, and not a structural limitation of the float bath. Regarding the type of glass given by claim 10, it would be obvious to one skilled in the art that the glass of sheet glass of Hitchcock is made from any one or more the claimed materials. Nevertheless, the type of glass does not further limit the structure of the float bath, rendering the claim unpatentable whether or not such type of glasses are disclosed or suggested by Hitchcock.

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Claims 1, 2, and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baron et al (US 4,171,966). Baron discloses a sheet glass apparatus comprising a transversely movable molten metal bath. See Figure 9 and column 10, lines 31-44. The bath is arranged on a frame 48 which is conveyable over rollers 49 on rails 36. Molten glass is received from the nozzle 6 of glass melting furnace 3. By providing the bath on rails, it is possible to convey it into another apparatus. See column 9, lines 66 to column 10, line 2, which describes the arrangement for a drum/roller device of Figure 7. Regarding the type of glass given by claim 10, it would be obvious to one skilled in the art that the glass of sheet glass of Baron is made from any one or more the claimed materials. Nevertheless, the type of glass does not further limit the structure of the float bath, rendering the claim unpatentable whether or not such type of glasses are disclosed or suggested by Baron.

Allowable Subject Matter

Claims 13-27 are allowed.

Claims 3-6 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 3-6 are allowable for further providing at least one jack assembly.

Claim 12 is allowable for further providing a portable control system.

Claims 13-27 are allowed, because the prior art does not disclose or suggest an adapter for a float bath that is adjustable to receive molten glass from a plurality of glass melting furnaces and deliver the molten glass to the float bath.

Response to Arguments

Applicant's arguments filed March 21, 2005 have been fully considered.

Amendments to claims 11 and 20 have overcome the objections set forth previously.

Upon reconsideration of the prior art, the rejections set forth previously based on Long (US 3,512,950) have been withdrawn. Accordingly, current claim 27 which is identically original claim 13, is allowable. Claims 13-26 are allowable for the same reasons.

The allowance of claims 1-10 and 12 set forth previously has been withdrawn. New grounds of rejection has been set forth above.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ammannati et al (US 4,141,713) discloses a transversely movable carriage for transporting a formed glass ribbon from a forming bath to a flattening device.

Gelstharp (US 1,564,230) discloses an apparatus for making sheet glass comprising a track and carriage system for moving a plurality of tanks one after another to a sheet forming device.

Gelstharp (US 1,603,946) discloses a roller device for guiding molten glass between a melting furnace and float bath whereby the roller device is transversely movable.

Gelstharp (US 1,771,213) discloses a glass plate drawing apparatus having a transversely movable roller lehr.

Giffin (US 3,582,306) discloses an apparatus for delivering multiple sources of molten glass onto a forming surface to form a multi-ply glass.

Itakura (US 3,480,423) discloses a longitudinal moving apparatus to conveying molten glass between a melting furnace and a float bath.

Rhodes et al (US 4,133,666) discloses a mixed-glass forming apparatus connected to a plurality of glass melting furnaces.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192. The examiner can normally be reached on Monday through Friday, 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eric Hug
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